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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 112, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/823,767
Filing Date	March 30, 2001
First Named Inventor	Y. Shibasaki
Group Art Unit	2872
Examiner Name	S. H. Seyrafi
Attorney Docket Number	24,943 USA

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. Submission required under 37 C.F.R. § 1.114.a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed \_\_\_\_\_iii. ☐ Other \_\_\_\_\_b. ☒ Enclosedi. ☒ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☒ Information Disclosure Statement (IDS)iv. ☐ Other \_\_\_\_\_2. Miscellaneousa. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other \_\_\_\_\_3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Other \_\_\_\_\_b. ☒ Check in the amount of \$ 740.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gary A. Hecht	Registration No. (Attorney / Agent)	36,826
Signature	<i>Gary A. Hecht</i>	Date	July 8, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box RCE, Commissioner for Patents, Washington, D.C. 20231

Name (Print/Type)	Patricia M. Frisoli	Date	July 8, 2002
Signature	<i>Patricia M. Frisoli</i>		

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08-22-02 11:38am From-

T-684 P.004/013 F.266

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Y. Shibazaki

Application No.: 09/823,767

Filing Date: March 30, 2001

For: Optical Element Holding Device for  
Exposure Apparatus

Group Art Unit: 2872

Examiner: S. H. Seyrafi

Attorney Docket No. 24,943

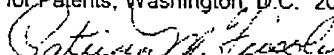
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Patricia M. Frisoli

Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

AMENDMENT SUBMISSION WITH RCE - 37 C.F.R. §1.114

This amendment submission is being filed with a Request for Continued Prosecution (RCE) in the above identified case. An IDS submission is also being forwarded with this amendment.

The application stands allowed pursuant to a Notice of Allowance dated 4/8/02 with the issue fee due July 8, 2002. The issue fee was not paid.

Please amend the application as set forth below:

## TELECOPY COVER SHEET

LAW OFFICES OF  
SYNNESTVEDT & LECHNER LLP  
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(215) 923-4466  
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Please deliver the telecopy transmitted herewith to:

Name: Examiner Paula Britton  
From: Gary A. Hecht, Esquire  
Your Ref: Application No. 09/823,767  
S&L Docket Number: 24,943 USA  
Confirmation to follow: Yes XX No

A total of 13 pages, including this cover sheet, will be transmitted.

Name of Operator: Patricia M. Frisoli  
Date sent: August 22, 2002 Time sent: \_\_\_\_\_  
Telecopier number of recipient: 1-703-746-9339

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### MESSAGE

Examiner Britton:

Attached is the following which you requested in our telephone conference of August 21, 2002.

Copy of check and postcard;  
Request for RCE transmittal; and  
Amendment Submission with RCE.

An IDS was also filed. Due to the length of the IDS papers, we are mailing these to you.

Gary Hecht

/pmf

Inventor / TM. Appl. Sh. bazaki  
 Client Onda

Appl. No. 09/523767 Filing Date 3-30-01

Docket No. 24943 USA Any. GAH

Title of Invention / Mark Optical Element

The Patent / Trademark Office is in receipt of the following:

- ☐ Affidavit/Declaration, 37 CFR \_\_\_\_\_  
☒ Amendment, 37 CFR 31.114  
☐ Amendment to allege use  
☐ Appeal notice/Appeal brief  
☐ Appointment of domestic representative  
☐ Assignment & cover sheet  
☐ Cert. of correction request  
☒ Cert. of Exp. Mailing, Date \_\_\_\_\_  
     No. \_\_\_\_\_  
☒ CerL of mailing, Dated 7-8-02  
☐ Charge deposit account, in duplicate  
☒ Check \$ 740 for Fee  
☐ Demand for PCT examination  
☐ Extension of time petition \_\_\_\_\_ months  
☐ Extension of time to file Statement of Use  
☒ IDS (information disclosure statement)  
     PTO Form 1449: # of pages enc. 1  
     # of references enc. 1  
☐ Issue fee transmittal & advance order  
☒ Letter RCF Transmittal  
☐ Maintenance fee transmittal  
☐ Opposition notice (in duplicate)  
☐ Patent Application  
     # of pages \_\_\_\_\_ # of pages of claims \_\_\_\_\_  
     # of sheets of drawings \_\_\_\_\_  
     Declaration/Oath: \_\_\_\_\_ signed \_\_\_\_\_ unsigned \_\_\_\_\_  
     Transmittal letter \_\_\_\_\_

- ☐ PCT Application, transmittal, request & fee sheet  
☐ Petition under 37 CFR \_\_\_\_\_  
☐ Petition for cancellation  
☐ Power of attorney  
☐ Priority claim  
☐ Renewal application  
☐ Reply, 37 CFR \_\_\_\_\_  
☐ Request for extension of time to file opposition notice (in triplicate)  
☐ Section 8/Section 15 Affidavit/Declaration  
☐ Specimens  
☐ Statement of use  
☐ Trademark/Service Mark Application  
     Declaration  
     Power of attorney  
     Drawing  
☐ Verified statement/Small entity  
☐ Withdrawal  
☐ Other \_\_\_\_\_

SYNNESTVEDT & LECHNER LLP  
 1101 MARKET STREET  
 PHILADELPHIA, PA 19107  
 FED. ID #23-1143590

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